CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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ENGLISH
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UNION OF SOVIET SOCIALIST REPUBLICS

Draft agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons

The States Parties to this Agreement,

Guided by the interests of strengthening international peace and security,

Desiring to contribute to saving mankind from the danger of the use of new means of warfare, to limiting the arms race and to bringing about disarmament,

Recognizing that modern science and technology have reached a level where a serious danger arises of the development of new, still more destructive types of weapons of mass destruction and of new systems of such weapons,

Conscious that the development and manufacture of such weapons are fraught with the most serious consequences for the peace and security of nations,

Bearing in mind that recent years have seen the conclusion of a number of important agreements concerning limitation of the arms race and disarmament, including those related to the prohibition of weapons of mass destruction,

Expressing the profound interest of States and peoples in the adoption of measures to prevent the use of the achievements of modern science and technology for the development and manufacture of the above-mentioned weapons of mass destruction,

Desiring to promote the strengthening of confidence among nations and the further improvement of the international situation,

Seeking to contribute to the realization of the lofty purposes and principles of the Charter of the United Nations,

Having agreed on the following:

Article I

1. Each State Party to this Agreement undertakes not to develop or manufacture new types of weapons of mass destruction or new systems of such weapons, including those utilizing the latest achievements of modern science and technology. New types of weapons of mass destruction and new systems of such weapons shall include: (to be specified through negotiations on the subject).

2. In the event that new areas of development and manufacture of weapons of mass destruction and systems of such weapons not covered by this Agreement emerge after the entry into force of the Agreement, the Parties shall conduct negotiations with a view to extending the prohibition provided for in this Agreement to cover such potential new types and systems of weapons.

3. Each State Party to this Agreement undertakes not to assist, encourage or induce any other State, group of States or international organizations to engage in activities contrary to the provisions of paragraph 1 of this article.

Article II

Each State Party to this Agreement undertakes, in accordance with its constitutional procedures, to take the necessary measures to prohibit and prevent any activities contrary to the provisions of this Agreement, within the territory of such State or in any territory under its jurisdiction or under its control, wherever it may be.

Article III

1. In the event that any State Party to this Agreement has any suspicions that another State Party has violated the provisions of this Agreement, the Parties concerned undertake to consult one another and co-operate in solving the problems which arise.

2. If the consultations referred to in paragraph 1 of this article fail to produce results mutually acceptable to the Parties concerned, the State which has such suspicions may lodge a complaint with the Security Council of the United Nations. Such complaint must include evidence confirming its validity, as well as a request for its consideration by the Security Council.

3. Each State Party to this Agreement undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Agreement of the results of the investigation.

4. Each State Party to this Agreement undertakes to provide or support assistance, in accordance with the Charter of the United Nations, to any State Party to the Agreement which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of violation of the Agreement.

Article IV

1. Nothing in this Agreement shall be interpreted as affecting the inalienable right of all the States Parties to the Agreement to develop and use scientific research and discoveries exclusively for peaceful purposes without any discrimination.

2. The States Parties to this Agreement undertake to facilitate scientific and technological co-operation in the use of the latest achievements and discoveries of science and technology for peaceful purposes.

Article V

Each State Party to this Agreement undertakes to pursue in good faith negotiations on effective measures to limit the arms race in all its forms and put an end to it, as well as on a treaty on general and complete disarmament under strict and effective international control.

Article VI

1. Any State Party may propose amendments to this Agreement. Each proposed amendment shall be submitted to the depositary Governments and circulated by them to all Parties to the Agreement, which shall inform the depositary Governments of acceptance or rejection as soon as possible after its receipt.

2. The amendment shall enter into force for each State Party accepting the amendment upon its acceptance by a majority of the States Parties to the Agreement, including the depositary Governments, and thereafter for each remaining State Party on the date of its acceptance of the amendment.

Article VII

1. This Agreement shall be of unlimited duration.

2. Each State Party to this Agreement shall, in the exercise of its national sovereignty, have the right to withdraw from the Agreement if it decides that extraordinary circumstances, related to the subject-matter of the Agreement, have jeopardized its supreme interests. It shall give notice of such withdrawal to all other States Parties to the Agreement and to the Security Council of the United Nations three months in advance. Such notice shall include a statement of the extraordinary circumstances it regards as having jeopardized its supreme interests.

Article VIII

1. This Agreement shall be open to all States for signature. Any State which does not sign the Agreement before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Agreement shall be subject to ratification by signatory States. Instruments of ratification and accession shall be deposited with the Governments of ....., which are hereby designated the depositary Governments.

3. This Agreement shall enter into force upon the deposit of the instruments of ratification by ..... Governments, including the Governments designated the depositary Governments of the Agreement.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Agreement, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Agreement, and of the receipt of other notices.

6. This Agreement shall be registered by the depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article IX

This Agreement, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the depositary Governments. Duly certified copies of the Agreement shall be transmitted by the depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Agreement.

DONE in ..... . copies, at ..... on the .... day of ...., ...